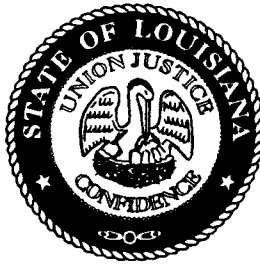




**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	ADS-200302150
EVALUATOR:	Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	May 13, 2003
EXPIRATION DATE:	June 3, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217). Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Permits Division, Post Office Box 82135, Baton Rouge, LA 70884-2135, and must reach these offices by the cited expiration date. The Louisiana Department of Environmental Quality has additional information on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

BATSC, L.L.C.
Wayne Vollman
Post Office Box 12846
Alexandria, Louisiana 71315

Location of Work: Section 4, T4N-R1E, latitude 31°21'00.2" longitude 92°22'15.6", within the Red River drainage basin, Rapides Parish, near Pineville, Louisiana.

Description of Work: (See enclosed map and drawings)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to develop a residential subdivision on a 60.66-acre tract of land containing 1.35 acres of wetlands. The development would be completed in 3 phases over a 10-year period.

The construction in Phase I would impact 0.26 acre of cutover forested wetlands by mechanized land clearing to remove remaining trees, saplings, brush and stumps. The construction activities would also involve discharging fill material into wetlands. The wetlands stretch across 3 high profile lots near the entrance of the subdivision as designed. The construction in Phase I would be near, but not involve any relocation of an intermittent stream flowing along the east property line. The construction would involve the relocation of 200 feet an ephemeral stream flowing through and near the west property line.

The construction in Phase II would involve mechanized land clearing of cutover forestland without impacting any wetlands. The construction would involve the relocation of about 200 feet of a small ephemeral stream flowing south through the center of the property that eventually flows into Bayou Marie. The small ephemeral stream relocation would involve mechanized land clearing, the discharge of fill material into the stream and relocation of the stream to flow along the lot lines. Once the small ephemeral stream is relocated, it would be replanted to trees, etc. to meet the requirements for stream restoration. The construction in Phase II would be near, but not involve, any relocation of the remaining ephemeral streams flowing through and near the west property line.

The construction in Phase III would impact 1.03 acres of cutover forested wetlands by mechanized land clearing and the relocation of 870 feet of the small ephemeral stream started in Phase II. A wetland consisting of 0.06 acre near the west property line will remain undisturbed during and after construction. The

construction in Phase III would be near, but not involve, the remaining intermittent stream flowing east to west through the south part of the property.

The 2002 Charleston Method would be used to determine wetland impacts and mitigation credits requirements needed to offset wetland impacts. A total of 1.29 acres of wetlands would be impacted by the proposed construction. A total of 1,070 linear feet of ephemeral stream would be impacted. All wetland impacts would be mitigated through an approved mitigation bank.

The placement of dredged and/or fill material in wetlands and waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Rapides Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

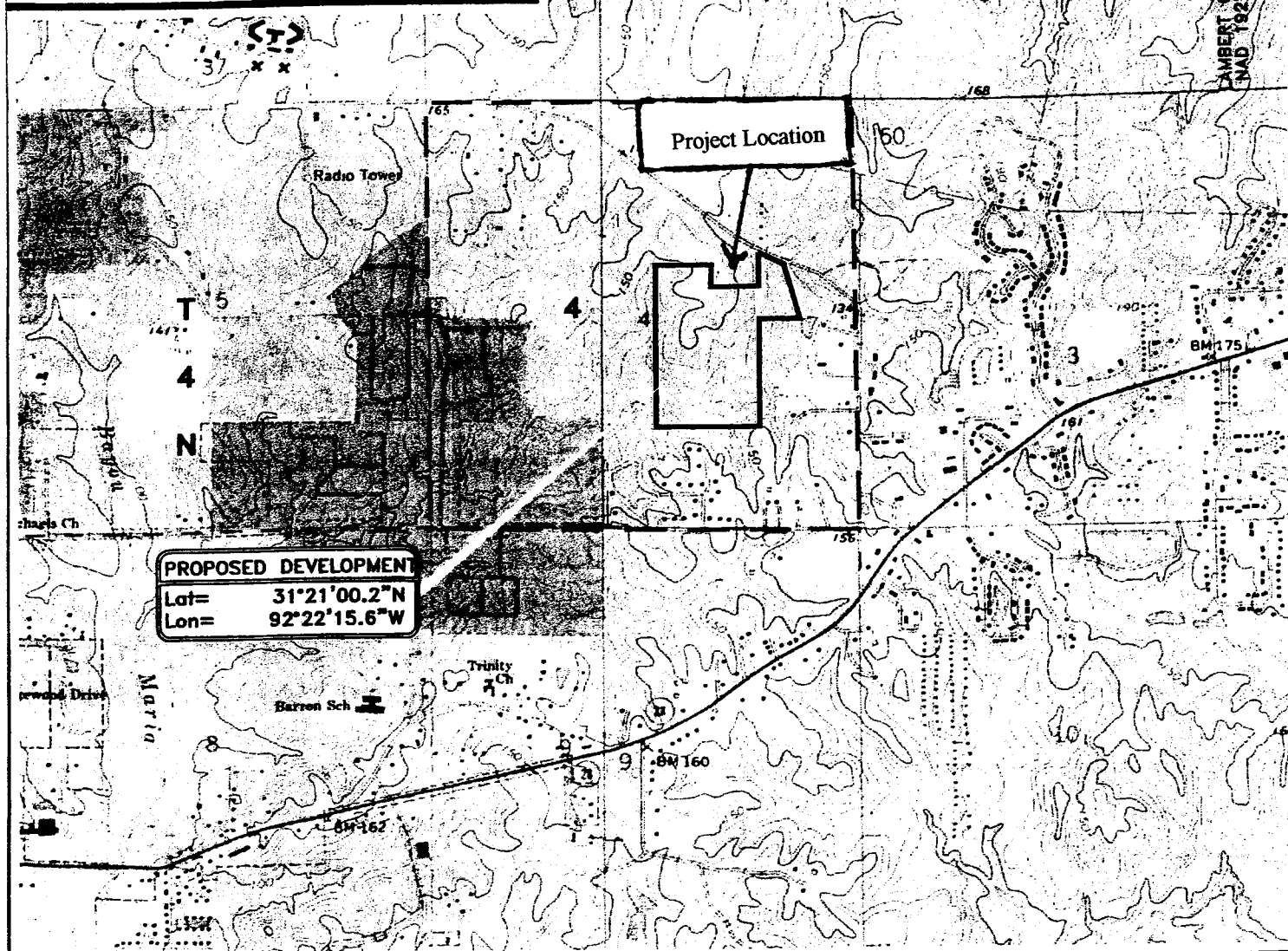
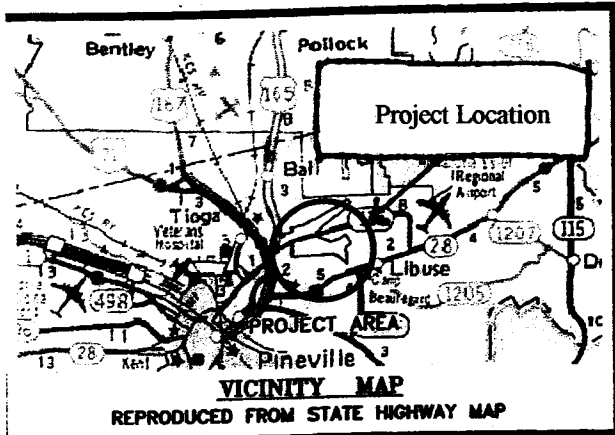
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which may be expected to accrue from the proposal, must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

for Loyce C. Butler
W. Harold Lee
Team Leader
Evaluation Section



REFERENCE: BASE MAP FROM U.S.G.S. QUADRANGLE MAPS
"ALEXANDRIA, LA" 1972, REVISED 1992 AND "LIBUSE, LA"
1972, REVISED 1993, AT A SCALE OF 1:24000.

PREPARED BY:
TIM MORTON & ASSOCIATES, INC.
LAFAYETTE, LOUISIANA
JOB NO. 02-223

FIGURE 1

MAP NO. FIG. 1

V & V PROPERTIES, INC.
ALEXANDRIA, LOUISIANA

VICINITY PLAT
PROP. REAL ESTATE DEVELOPMENT
RAPIDES PARISH, LOUISIANA

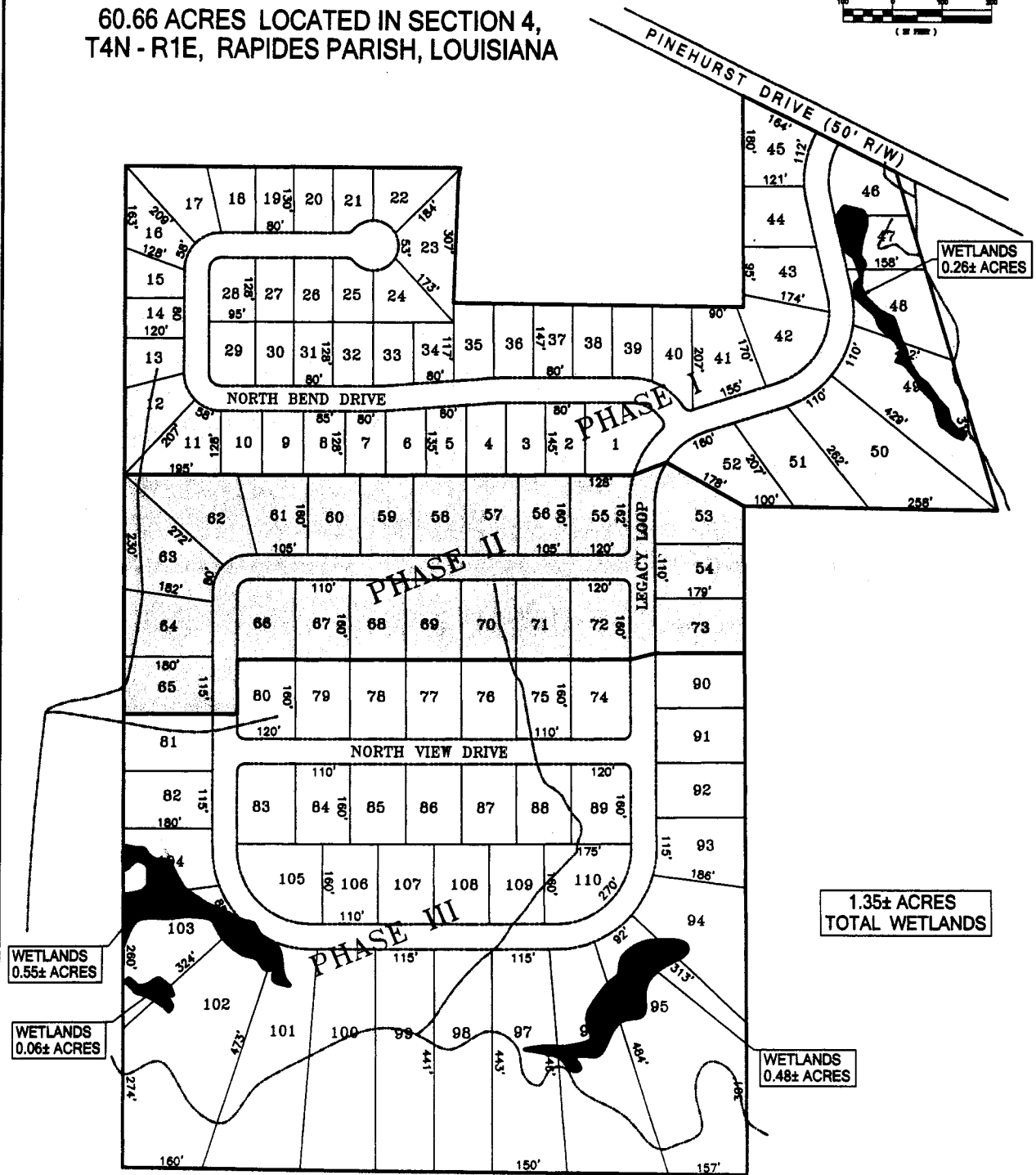
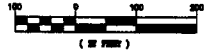
SCALE AS-200302150

BATSC LLC

LEGACY POINTE

110 LOTS

60.66 ACRES LOCATED IN SECTION 4,
T4N - R1E, RAPIDES PARISH, LOUISIANA



LEGEND

- PINEHURST DRIVE R/W LINE
- NATURAL DRAIN
- WETLANDS AREA

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AS-200302150

BATSC LLC